

REMARKS

I. PRELIMINARIES

Applicants thank the Examiner for non-finality in the present rejection and for performing a thorough search. Claims 1 and 27-28 are independent. Claims 1-2 and 27-28 are amended herein for clarity. Claims 14-26 have been cancelled. New Claims 41-49 are added herein. Hence, Claims 1-13 and 27-49 are pending in the application.

As a preliminary matter, Applicants note that Block No. 7 on the Office Action Summary (form no. PTOL-326) bears an "X" mark, indicating that the Office Action objects to one or more claims. However, no claims are enumerated in the corresponding space and no objections are raised within the text of the Detailed Action section of the instant Office Action. Applicants thus presume that Block No. 7 of the Office Action Summary was marked spuriously with the "X" mark and thus, that no objection is actually extant. Moreover, in the event that Applicants' presumption is mistaken, Applicants thus lack sufficient information to provide any meaningful or substantive response to any objection that may exist. Accordingly, Applicants respectfully request confirmation of their presumption on this issue or alternatively, that any grounds for any such objection, should one indeed exist, be made substantively and with particularity.

II. ISSUES RELATING TO ALLEGED PRIOR ART

Claims 1-9, 11-13, and 27-40 are rejected under 35 USC §102(e) over US Patent No. 6,564,208 to Littlefield et al. (hereinafter Littlefield). Applicants respectfully traverse the rejection.

As a preliminary matter, Applicants note that Claims 1-13 and 27-40 are indicated as rejected in the space corresponding to Block No. 6 on the Office Action Summary (form no. PTOL-326). However, at page 3, paragraph 1 (Detailed Action No. 7) of the instant Office Action, only Claims 1-9, 11-13, and 27-40 are said to be rejected under §102(e) over Littlefield. Moreover, Claim 10 is substantively discussed in rejection-like terms at page 6, paragraph 1 of the instant Office Action and no other grounds of rejection are alleged elsewhere therein against Claim 10. Applicants thus presume that the instant Office Action rejects Claim 10 and simply spuriously omitted its listing at page 3, paragraph 1 (Detailed Action No. 7) and accordingly

traverse its rejection in response thereto. Applicants respectfully request confirmation of their presumption on this issue or alternatively, that any other grounds for the present rejection of Claim 10, should one indeed exist, be made substantively and with particularity.

A rejection under §102 is traversed if the claims recite one or more features, elements, steps or limitations that are not found in the cited reference. Stated another way, the cited reference must teach or disclose each and every feature of the claims, arranged as in the claims. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983). As will be shown hereinafter, claims of the present application contain features not found in the reference, and therefore the rejection is overcome.

Independent Claims 1 and 27-28 relate to delivering search results for searches conducted over a network. Claims 2-13 and 29-40 depend on one of the independent claims and thus, incorporate all of the subject matter recited therein. Claims 1 and 27-28 recite that an association is established between one or more links to resources, one or more conditions, and one or more items. In response to a network client-initiated search for resources, several functions are performed. These functions are described as follows.

A set of links to resources that satisfy the search are identified. The association is inspected to determine whether any links in the set of links are associated with an item of the one or more items and whether any links in said set of links satisfy a condition of the one or more conditions. The search results are delivered over the network. Importantly, the **search results include any items** associated in the association with particular links in the set of links **if and only if the particular links satisfy a condition** of the one or more conditions, as recited:

"wherein said search results include any items associated in said association with particular links in said set of links if and only if said particular links satisfy a condition of the one or more conditions."

Littlefield differs from the claims herein. As disclosed in Littlefield, non-default items are associated with a uniform resource locator (URL). All of the non-default items associated with a particular URL returned in a set of search results are always presented to the user who initiated the corresponding search.

In contrast to that which is disclosed in Littlefield, the independent claims explicitly recite:

"wherein said search results include any items associated in said association with particular links in said set of links if and only if said particular links satisfy a condition of the one or more conditions."

Further, the independent claims herein recite:

"establishing an association between one or more links to resources, one or more conditions, and one or more items."

Littlefield always presents to a search-initiating user all non-default items associated with URLs returned in search results. Littlefield does not, in any way, teach or suggest storing conditions along with link-item associations. In fact, Littlefield contains nothing that refers to conditions; the term "condition" is not used within the reference. Further, Littlefield contains nothing that is directed to providing a user mechanism with which a user may specify such conditions.

Littlefield thus fails to disclose multiple features recited in Claims 1 and 27-28. Thus, the reference fails to anticipate the independent claims herein. For at least this reason, Claims 1 and 27-28 and their respective dependent claims are allowable over Littlefield under 35 USC § 102.

Moreover, Littlefield's explicit requirement that all non-default items associated with a particular URL returned in a set of search results necessarily be presented to the user who initiates a search expressly **teaches away** from the invention recited in Claim 1 and the other independent claims. Thus, the reference fails to teach or suggest the claims herein and further, neither expresses nor implies any motivation to computing, networking, search engine, information retrieval and data processing artisans of ordinary skill to apply that which is disclosed therein to achieve features that are recited in the present claims. For this additional reason, Claims 1 and 27-28 and their respective dependent claims are allowable over Littlefield under 35 USC § 102. Applicants respectfully request reconsideration and withdrawal of the instant rejection.

III. NEW CLAIMS

New Claims 41-49 are added herein. New Claims 41-49 depend (directly or indirectly) on independent Claim 1 and thus, incorporate all of the subject matter recited therein. Claim 1 is allowable according to the rationale set forth above. For at least this reason, new Claims

41-49 are allowable under 35 USC § 102.

Moreover, each of the new Claims 41-49 recite additional features that render them patentable over alleged prior art, in and of themselves. The features recited in new Claims 41-49 are described in the specification, for instance, at paragraphs 0024 and 0031-0033. For instance, new Claims 41 and 45 relate to specifying one or more conditions. This feature is not found in the Littlefield reference cited in the instant Office Action and alleged therein to be prior art. New Claims 42-44 relate to contexts, a feature not disclosed by Littlefield. New Claims 46-49 relate to weighting results and concomitantly, to resolving conflicts in delivery of search results, which are features not disclosed by Littlefield. Moreover, new Claim 49 relates to historical information, a feature absent from Littlefield. For these additional reasons, new Claims 41-49 are allowable under 35 USC § 102. Applicants respectfully request examination of new Claims 41-49, consideration and allowance thereof.

IV. CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully invited to contact the undersigned by telephone or other convenient medium if it is believed that such contact would further the examination of the present application.

During the pendency of the Application, the Commissioner is authorized to charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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